professional baseball team, including a professional baseball team that is a corporation, limited liability company, or a partnership or operated as a sole proprietorship, that—

(A) operates for profit or as a nonprofit organization;

(B) is located in the United States; and

(C)(i) as of February 29, 2020, was a member of a league that was a member of the National Association of Professional Baseball Leagues, Inc.; or

(ii) has been offered and is operating or has agreed to operate under—

(I) a Player Development License granted by MLB Professional Development Leagues, LLC; or

(II) a license granted by Appalachian League, Inc.

(8) PAYROLL COSTS.—The term ''payroll costs'' has the meaning given the term in section 7(a)(36)(A) of the Small Business Act (15 U.S.C. 636(a)(36)(A)).

SA 2548. Mr. BENNET (for himself and Mr. HOEVEN) proposed an amendment to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; as follows:

At the end of title VIII of division D, add the following:

SEC. 408_____. JOINT CHIEFS LANDSCAPE RESTORATION PARTNERSHIP PROGRAM.

(a) DEFINITIONS.—In this section:

(1) CHIEFS.—The term ''Chiefs'' means the Chief of the Forest Service and the Chief of the Natural Resources Conservation Service.

(2) ELIGIBLE ACTIVITY.—The term ''eligible activity'' means an activity—

(A) to reduce the risk of wildfire;

(B) to protect water quality and supply; or

(C) to improve wildlife habitat for at-risk species.

(3) PROGRAM.—The term ''Program'' means the Joint Chiefs Landscape Restoration Partnership program established under subsection (b)(1).

(4) SECRETARY.—The term ''Secretary'' means the Secretary of Agriculture.

(5) WILDLAND-URBAN INTERFACE.—The term ''wildland-urban interface'' has the meaning given the term in section 101 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6511).

(b) ESTABLISHMENT.—

(1) IN GENERAL.—The Secretary shall establish a Joint Chiefs Landscape Restoration Partnership program to improve the health and resilience of forest landscapes across National Forest System land and State, Tribal, and private land.

(2) ADMINISTRATION.—The Secretary shall administer the Program by coordinating eligible activities conducted on National Forest System land and State, Tribal, or private land across a forest landscape to improve the health and resilience of the forest landscape by—

(A) assisting producers and landowners in implementing eligible activities on eligible private or Tribal land using the applicable programs and authorities administered by the Chief of the Natural Resources Conservation Service under title XII of the Food Security Act of 1985 (16 U.S.C. 3801 et seq.), not including the conservation reserve program established under subchapter B of chapter 1 of subtitle D of that title (16 U.S.C. 3831 et seq.); and

(B) conducting eligible activities on National Forest System land or assisting landowners in implementing eligible activities on State, Tribal, or private land using the applicable programs and authorities administered by the Chief of the Forest Service.

(c) SELECTION OF ELIGIBLE ACTIVITIES.—The appropriate Regional Forester and State Conservationist shall jointly submit to the Chiefs on an annual basis proposals for eligible activities under the Program.

(d) EVALUATION CRITERIA.—In evaluating and selecting proposals submitted under subsection (c), the Chiefs shall consider—

(1) criteria including whether the proposal—

(A) reduces wildfire risk in a municipal watershed or the wildland-urban interface;

(B) was developed through a collaborative process with participation from diverse stakeholders;

(C) increases forest workforce capacity or forest business infrastructure and development;

(D) leverages existing authorities and non-Federal funding;

(E) provides measurable outcomes; or

(F) supports established State and regional priorities; and

(2) such other criteria relating to the merits of the proposals as the Chiefs determine to be appropriate.

(e) OUTREACH.—The Secretary shall provide—

(1) public notice on the websites of the Forest Service and the Natural Resources Conservation Service describing—

(A) the solicitation of proposals under subsection (c); and

(B) the criteria for selecting proposals in accordance with subsection (d); and

(2) information relating to the Program and activities funded under the Program to States, Indian Tribes, units of local government, and private landowners.

(f) EXCLUSIONS.—An eligible activity may not be carried out under the Program—

(1) in a wilderness area or designated wilderness study area;

(2) in an inventoried roadless area;

(3) on any Federal land on which, by Act of Congress or Presidential proclamation, the removal of vegetation is restricted or prohibited; or

(4) in an area in which the eligible activity would be inconsistent with the applicable land and resource management plan.

(g) ACCOUNTABILITY.—

(1) INITIAL REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to Congress a report providing recommendations to Congress relating to the Program, including a review of—

(A) funding mechanisms for the Program;

(B) staff capacity to carry out the Program;

(C) privacy laws applicable to the Program;

(D) data collection under the Program;

(E) monitoring and outcomes under the Program; and

(F) such other matters as the Secretary considers to be appropriate.

(2) ADDITIONAL REPORTS.—For each of fiscal years 2022 and 2023, the Chiefs shall submit to the Committee on Agriculture, Nutrition, and Forestry and the Committee on Appropriations of the Senate and the Committee on Agriculture and the Committee on Appropriations of the House of Representatives a report describing projects for which funding is provided under the Program, including the status and outcomes of those projects.

(h) FUNDING.—

(1) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out the Program $90,000,000 for each of fiscal years 2022 and 2023.

(2) ADDITIONAL FUNDS.—In addition to the funds described in paragraph (1), the Secretary may obligate available funds from accounts used to carry out the existing Joint Chiefs' Landscape Restoration Partnership prior to the date of enactment of this Act to carry out the Program.

(3) DURATION OF AVAILABILITY.—Funds made available under paragraph (1) shall remain available until expended.

(4) DISTRIBUTION OF FUNDS.—Of the funds made available under paragraph (1)—

(A) not less than 40 percent shall be allocated to carry out eligible activities through the Natural Resources Conservation Service;

(B) not less than 40 percent shall be allocated to carry out eligible activities through the Forest Service; and

(C) the remaining funds shall be allocated by the Chiefs to the Natural Resources Conservation Service or the Forest Service—

(i) to carry out eligible activities; or

(ii) for other purposes, such as technical assistance, project development, or local capacity building.

SA 2549. Mr. CASEY submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division H, insert the following:

TITLE VII—QUALIFIED COMMUNITY COLLEGE BONDS

SEC. 80701. SHORT TITLE.

This title may be cited as the ''Community College Infrastructure Act of 2021''.

SEC. 80702. TAX CREDIT FOR QUALIFIED COMMUNITY COLLEGE BONDS.

(a) IN GENERAL.—Part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by inserting after subpart G the following new subpart:

''Subpart H—Qualified Community College Bonds

''SEC. 54. QUALIFIED COMMUNITY COLLEGE BONDS.

''(a) QUALIFIED COMMUNITY COLLEGE BONDS.—For purposes of this subchapter, the term 'qualified community college bond' means any bond issued as part of an issue if—

''(1) 95 percent of the available project proceeds of such issue are to be used for a qualified purpose with respect to a qualified community college,

''(2) the bond is issued by a State or local government in consultation with the jurisdictions of which such college is located, and

''(3) the issuer—

''(A) designates such bond for purposes of this section, and

''(B) certifies that it has the written approval of the governing body for such bond issuance.

''(b) LIMITATION ON AMOUNT OF BONDS DESIGNATED.—

''(1) NATIONAL LIMITATION.—There is a national community college bond limitation of $400,000,000 for each calendar year.

''(2) ALLOCATION OF LIMITATION.—

''(A) IN GENERAL.—The national community college bond limitation for a calendar year shall be allocated by the Secretary

among the States on the basis of their respective populations of individuals below the poverty line (as defined by the Office of Management and Budget).

''(B) LIMITATION PER STATE.—For purposes of subparagraph (A), a State may not receive an allocation of more than 5 percent of the national community college bond limitation in any calendar year.

''(C) ALLOCATIONS TO GOVERNING BODIES.—

''(i) IN GENERAL.—The limitation amount allocated to a State under subparagraph (A) shall be allocated by the State to the appropriate governing bodies within such State.

''(ii) PRIORITY FOR ALLOCATIONS.—

''(I) LARGEST METROPOLITAN STATISTICAL AREA.—For purposes of this subparagraph, the State education agency shall, as applicable, ensure that the governing body for a proposed qualified community college which will serve the residents of the largest metropolitan statistical area within such State which does not contain an institution described in subsection (c)(2)(A) receives an allocation equal to the lesser of—

''(aa) one-third of the total allocation to the State under subparagraph (A), or

''(bb) the allocation amount requested by such governing body.

''(II) ADDITIONAL PRIORITIES FOR ALLOCATION.—For purposes of making allocations under this subparagraph, the State education agency shall give priority to any governing body which has or will have—

''(aa) a partnership, including a dual or concurrent enrollment program (as defined in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)), with local high schools,

''(bb) a partnership with four-year institutions of higher education, including a credit-transfer agreement or articulation agreement (as defined in section 486A(a) of the Higher Education Act of 1965 (20 U.S.C. 1093a(a))), for students at the qualified community college, or

''(cc) a partnership with a State workforce development board established under section 101 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102).

''(3) DESIGNATION SUBJECT TO LIMITATION AMOUNT.—The maximum aggregate face amount of bonds issued during any calendar year which may be designated under subsection (a) with respect to any qualified community college shall not exceed the limitation amount allocated to the governing body of such college under paragraph (2)(C) for such calendar year.

''(4) CARRYOVER OF UNUSED LIMITATION.—

''(A) IN GENERAL.—If for any calendar year—

''(i) the limitation amount for any State, exceeds

''(ii) the amount of bonds issued during such year which are designated under subsection (a) with respect to qualified community colleges within such State,

the limitation amount for such State for the following calendar year shall be increased by the amount of such excess.

''(B) LIMITATION ON CARRYOVER.—Any carryover of a limitation amount may be carried only to the first 2 years following the unused limitation year. For purposes of the preceding sentence, a limitation amount shall be treated as used on a first-in first-out basis.

''(C) ALLOCATION OF UNUSED CARRYOVER AMOUNT.—

''(i) IN GENERAL.—Any unused carryover amount of a State for any calendar year shall be assigned to the Secretary for allocation among qualified States for the succeeding calendar year, with such allocations to be in addition to the amounts allocated pursuant to paragraph (2)(A).

''(ii) FORMULA FOR ALLOCATION.—The amount allocated under this subparagraph to a qualified State for any calendar year shall be the amount determined by the Secretary to bear the same ratio to the aggregate unused carryover amounts of all States for the preceding calendar year as such State's population for the calendar year bears to the population of all qualified States for the calendar year. For purposes of the preceding sentence, population shall be determined in accordance with section 146(j).

''(iii) DEFINITIONS.—For purposes of this subparagraph:

''(I) UNUSED CARRYOVER AMOUNT.—The term 'unused carryover amount' means the amount of any carryover of a limitation amount allocated to a State which has expired pursuant to subparagraph (B).

''(II) QUALIFIED STATE.—The term 'qualified State' means, with respect to any calendar year, a State—

''(aa) which allocated its limitation amount for the preceding calendar year to governing bodies within such State (as described in paragraph (2)(C)), and

''(bb) for which a request is made (not later than May 1 of the calendar year) to receive an allocation under this subparagraph.

''(c) DEFINITIONS.—For purposes of this section:

''(1) GOVERNING BODY.—The term 'governing body' means—

''(A) the board of trustees or other governing organization of a qualified community college, or

''(B) a State or local government (or any political subdivision thereof), or any combination of school districts or municipalities, which participate or propose to participate in the establishment and operation of a qualified community college.

''(2) QUALIFIED COMMUNITY COLLEGE.—

''(A) IN GENERAL.—The term 'qualified community college' means a public institution of higher education—

''(i) at which the highest degree that is predominantly awarded to students is an associate's degree (including 2-year tribally controlled colleges under section 316 of the Higher Education Act of 1965 (20 U.S.C. 1059c) and public 2-year State institutions of higher education),

''(ii) which is or will be established by and operated under the supervision of a governing body in conjunction with the State and local governments whose residents will be served by such institution, and

''(iii) which is located within a qualified area.

''(B) QUALIFIED AREA.—For purposes of this paragraph, the term 'qualified area' means—

''(i) a city or metropolitan statistical area for which there is no institution described in subparagraph (A)(i) within a 40-mile radius,

''(ii) a county which—

''(I) does not contain any institution described in such subparagraph, or

''(II) has an unemployment rate equal to or greater than 110 percent of the national average (as determined by the Secretary of Labor based on the most recent available data), and

''(iii) a low-income community (as defined in section 45D(e)).

''(3) QUALIFIED PURPOSE.—The term 'qualified purpose' means—

''(A) establishing and operating a qualified community college,

''(B) expanding an existing qualified community college to a qualified area,

''(C) constructing, rehabilitating, repairing, upgrading, enhancing, or expanding any facility owned or to be used by a qualified community college to carry out the educational purposes (including instructional and research purposes) of such college,

''(D) providing equipment for use by students at a qualified community college,

''(E) investing in online resources or broadband access projects to deliver qualified community college services to qualified areas, or developing course materials for education to be provided by a qualified community college, provided that such uses do not collectively account for more than 10 percent of the amount allocated under subsection (b)(2)(C) to the governing body for such college,

''(F) training professors and other school personnel at a qualified community college, provided that such use does not account for more than 5 percent of the amount allocated under subsection (b)(2)(C) to the governing body for such college, and

''(G) constructing, rehabilitating, repairing, upgrading, enhancing, or expanding any on-campus facility to be used by a qualified community college to provide childcare to students and staff, provided that such use does not account for more than 10 percent of the amount allocated under subsection (b)(2)(C) to the governing body for such college.

''(d) APPLICATION OF CERTAIN LABOR STANDARDS TO PROJECTS FINANCED WITH QUALIFIED COMMUNITY BONDS.—

''(1) IN GENERAL.—Each laborer and mechanic employed by a contractor or subcontractor in the performance of construction, alteration, or repair work financed in whole, or in part, with the proceeds of any qualified community college bond issued after the date of enactment of the Community College Infrastructure Act of 2021 shall be paid wages at rates not less than those prevailing on work of a similar character in the locality, as determined by the Secretary of Labor in accordance with subchapter IV of chapter 31 of title 40, United States Code.

''(2) AUTHORITY.—The Secretary of Labor shall have, with respect to the labor standards described in paragraph (1), the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (64 Stat. 1267; 5 U.S.C. App.) and section 3145 of title 40, United States Code.''.

(b) CONFORMING AMENDMENT.—The table of subparts for part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by inserting after the item relating to subpart G the following:

''SUBPART H—QUALIFIED COMMUNITY COLLEGE BONDS''.

SEC. 80703. CREDIT TO HOLDERS AND ISSUERS OF QUALIFIED COMMUNITY COLLEGE BONDS.

(a) ALLOWANCE OF CREDIT.—

(1) IN GENERAL.—Section 54A of the Internal Revenue Code of 1986, as in effect on the day before repeal by Public Law 115–97, is revived.

(2) CREDIT LIMITED TO QUALIFIED COMMUNITY COLLEGE BONDS.—Section 54A(d) of such Code is amended—

(A) by striking paragraph (1) and inserting the following:

''(1) QUALIFIED TAX CREDIT BOND.—The term 'qualified tax credit bond' means a qualified community college bond which is part of an issue that meets requirements of paragraphs (2), (3), (4), (5), and (6).'', and

(B) in paragraph (2), by striking subparagraph (C) and inserting the following:

''(C) QUALIFIED PURPOSE.—For purposes of this paragraph, the term 'qualified purpose' means a purpose specified in section 54(c)(3).''.

(b) CREDIT ALLOWED TO ISSUER.—

(1) IN GENERAL.—Section 6431 of the Internal Revenue Code of 1986, as in effect on the day before repeal by Public Law 115–97, is revived.

(2) CONFORMING AMENDMENTS.—

(A) Section 6431(f) of such Code, as revived by paragraph (1), is amended by striking

paragraphs (2) and (3) and inserting the following:

''(2) SPECIFIED TAX CREDIT BOND.—For purposes of this subsection, the term 'specified tax credit bond' means any qualified tax credit bond (as defined in section 54A(d)(1)) if the issuer of such bond makes an irrevocable election to have this subsection apply.''.

(B) Subparagraph (A) of section 6211(b)(4) of the Internal Revenue Code of 1986 is amended by striking ''and 6428A'' and inserting ''6428A, and 6431''.

SEC. 80704. GREEN BUILDING PRACTICES.

(a) IN GENERAL.—In carrying out a new construction or renovation project using any available project proceeds from the issuance of any qualified community college bond (as defined in subsection (a) of section 54 of the Internal Revenue Code of 1986), a governing body (as defined in subsection (c)(1) of such section) shall use, of those proceeds, not less than the applicable percentage described in subsection (b) for construction or renovation that is certified, verified, or consistent with the applicable provisions of—

(1) the Leadership in Energy and Environmental Design green building rating standard of the United States Green Building Council;

(2) the Living Building Challenge green building certification program developed by the International Living Future Institute;

(3) a green building rating program developed by the Collaborative for High-Performance Schools that is designated as CHPS Verified; or

(4) a green building program that—

(A) has standards that are equivalent to or more stringent than the standards of a program described in paragraph (1), (2), or (3);

(B) is adopted by the State or another jurisdiction with authority over the local educational agency; and

(C) includes a verifiable method to demonstrate compliance with the program.

(b) APPLICABLE PERCENTAGE DESCRIBED.—The applicable percentage referred to in subsection (a) is—

(1) for fiscal year 2022, 60 percent;

(2) for fiscal year 2023, 70 percent;

(3) for fiscal year 2024, 80 percent;

(4) for fiscal year 2025, 90 percent; and

(5) for each of fiscal years 2026 through 2031, 100 percent.

SEC. 80705. USE OF AMERICAN IRON, STEEL, AND MANUFACTURED PRODUCTS.

(a) IN GENERAL.—A governing body (as defined in subsection (c)(1) of section 54 of the Internal Revenue Code of 1986) that receives covered funds shall ensure that any iron, steel, and manufactured products used in projects carried out with such funds are produced in the United States.

(b) WAIVER AUTHORITY.—

(1) IN GENERAL.—The Secretary may waive the requirement of subsection (a) if the Secretary determines that—

(A) applying subsection (a) would be inconsistent with the public interest;

(B) iron, steel, and manufactured products produced in the United States are not produced in a sufficient and reasonably available amount or are not of a satisfactory quality; or

(C) using iron, steel, and manufactured products produced in the United States will increase the cost of the overall project by more than 25 percent.

(2) PUBLICATION.—Before issuing a waiver under paragraph (1), the Secretary shall publish in the Federal Register a detailed written explanation of the waiver determination.

(c) CONSISTENCY WITH INTERNATIONAL AGREEMENTS.—This section shall be applied in a manner consistent with the obligations of the United States under international agreements.

(d) DEFINITIONS.—In this section:

(1) COVERED FUNDS.—The term ''covered funds'' means any available project proceeds from the issuance of any qualified community college bond (as defined in section 54(a) of the Internal Revenue Code of 1986).

(2) MANUFACTURED PRODUCT.—The term ''manufactured product'' means any construction material or end product (as such terms are defined in part 25.003 of the Federal Acquisition Regulation) that is not an iron or steel product, including—

(A) electrical components; and

(B) non-ferrous building materials, including aluminum and polyvinylchloride (PVC), glass, fiber optics, plastic, wood, masonry, rubber, manufactured stone, any other nonferrous metals, and any unmanufactured construction material.

(3) PRODUCED IN THE UNITED STATES.—The term ''produced in the United States'' means the following:

(A) When used with respect to a manufactured product, the product was manufactured in the United States and the cost of the components of such product that were mined, produced, or manufactured in the United States exceeds 60 percent of the total cost of all components of the product.

(B) When used with respect to iron or steel products, or an individual component of a manufactured product, all manufacturing processes for such iron or steel products or components, from the initial melting stage through the application of coatings, occurred in the United States, except that the term does not include—

(i) steel or iron material or products manufactured abroad from semi-finished steel or iron from the United States; and

(ii) steel or iron material or products manufactured in the United States from semi-finished steel or iron of foreign origin.

(4) SECRETARY.—The term ''Secretary'' means the Secretary of Education.

SEC. 80706. EFFECTIVE DATE.

The amendments made by this title shall apply to obligations issued after the date of the enactment of this Act.

SA 2550. Mr. OSSOFF (for himself and Mr. WHITEHOUSE) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 202, strike line 5 and insert the following:

(2) in subsection (l)—

(A) by striking paragraph (2);

(B) by striking the subsection designation and all that follows through ''In determining'' in paragraph (1) in the matter preceding subparagraph (A) and inserting the following:

''(l) ACCOMMODATING UTILITY FACILITIES IN THE RIGHT-OF-WAY.—

''(1) DEFINITIONS.—In this subsection:

''(A) FEDERAL LAND.—The term 'Federal land' means any land or interest in land owned by the United States.

''(B) INDIAN LAND.—The term 'Indian land' means—

''(i) land within the limits of an Indian reservation; or

''(ii) land over which an Indian Tribe exercises governmental power and that is—

''(I) held in trust by the United States for the benefit of any Indian tribe or individual Indian; or

''(II) held by an Indian Tribe or individual Indian subject to restriction by the United States against alienation.

''(C) RIGHT-OF-WAY.—The term 'right-of-way' means any real property, or interest therein, acquired, dedicated, or reserved for the construction, operation, and maintenance of a highway.

''(D) UTILITY FACILITY.—

''(i) IN GENERAL.—The term 'utility facility' means any privately, publicly, or cooperatively owned line, facility, or system for producing, transmitting, or distributing communications, power, electricity, light, heat, gas, water, steam, waste, storm water not connected with highway drainage, or any other similar commodity, including any fire or police signal system or street lighting system, that directly or indirectly serves the public.

''(ii) INCLUSIONS.—The term 'utility facility' includes—

''(I) a renewable energy generation facility;

''(II) electrical transmission and distribution infrastructure; and

''(III) broadband infrastructure and conduit.

''(2) ACCOMMODATION.—In determining''; and

(C) by adding at the end the following:

''(3) STATE APPROVAL.—A State, on behalf of the Secretary, may approve accommodating a utility facility described in paragraph (1)(D)(ii) within a right-of-way on a Federal-aid highway.

''(4) EXCLUSION.—Paragraph (3) shall not apply to a utility facility on Federal land or Indian land.

''(5) SAVINGS PROVISION.—Nothing in this subsection alters or affects any prohibition relating to commercial activity under section 111(a).'';

(3) in subsection (o)—

On page 202, line 23, strike ''(3)'' and insert ''(4)''.

On page 203, strike line 17 and insert the following:

the project is located on a Federal-aid highway.

''(t) VEGETATION MANAGEMENT.—States are encouraged to implement, or to enter into partnerships to implement, vegetation management practices, such as increased mowing heights and planting native grasses and pollinator-friendly habitats, along a right-of-way on a Federal-aid highway, if the implementation of those practices—

''(1) is in the public interest; and

''(2) will not impair the highway or interfere with the free and safe flow of traffic.''.

SA 2551. Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 1200, strike line 9, and all that follows through page 1202, line 10, and insert the following: